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October 11, 2017

VIA ECF

The Honorable George B. Daniels
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

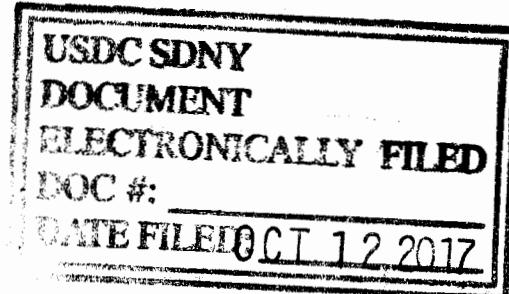
Re: Wheeler v. Twenty-First Century Fox, Inc., et al.; 17-cv-05807
Request for Extensions of Time to Oppose Motions

Dear Judge Daniels:

We represent Plaintiff in the above-referenced matter. On September 27, 2017, the Court granted Plaintiff's request to extend the dates to respond to various motions filed by Defendants and/or to file an amended complaint as of right to October 23, 2017. See Dkt. No. 50. Plaintiff intends to file an amended complaint as of right on October 23, 2017. Because the amended complaint will serve as the new operative complaint, we believe the filing will moot Defendants' pending motions,¹ without prejudice, including the Rule 11 motion filed by Defendant Ed Butowsky and the motion to compel arbitration filed by Defendants Twenty-First Century Fox, Inc., Fox News Network LLC and Malia Zimmerman. However, Plaintiff respectfully requests that the Court grant all Defendants an extension to respond to the amended complaint until November 22, 2017, provide Plaintiff thirty days to oppose in the event that responsive motions are filed, and grant Defendants twenty-one days to reply to any opposition. Plaintiff also respectfully requests that due to the amended complaint that the Court order that Plaintiff is not obligated to respond to the motion for sanctions until an adjourned date is set by the Court in accordance with a new schedule as requested herein.

Counsel for Plaintiff notified counsel for all Defendants of our intention to make this request. Counsel for Defendant Butowsky does not consent to this request because he believes that Plaintiff should oppose Defendant Butowsky's motion for sanctions in connection with the initial Complaint by October 23, 2017, notwithstanding the fact that we are amending as of right and therefore the

¹ Defendant Ed Butowsky filed a motion to dismiss (see Dkt. No. 34), and a motion for sanctions against Plaintiff and his counsel. See Dkt. No. 43. Defendants Twenty-First Century Fox, Inc., Fox News Network LLC and Malia Zimmerman filed a motion to compel arbitration and stay all proceedings or, in the alternative, to dismiss for failure to state a claim. See Dkt. No. 38.



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DENIED

OCT 12 2017

George B. Daniels
Judge George B. Daniels

WIGDOR LLP

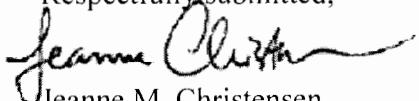
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initial Complaint will no longer be operative. Counsel for Defendants Twenty-First Century Fox, Inc., Fox News Network LLC and Malia Zimmerman consent to the request for the proposed extension of deadlines set forth above.

We thank Your Honor for the Court's time and attention to this matter.

Respectfully submitted,



Jeanne M. Christensen

cc: Counsel for Defendants (*via* ECF)